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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/646,505	08/22/2003	Ilya Reyzin	DP-309923	9673
22851 75	590 10/28/2004		EXAMINER	
DELPHI TECHNOLOGIES, INC.			FLANIGAN, ALLEN J	
M/C 480-410-2 PO BOX 5052	002	1	ART UNIT	PAPER NUMBER
TROY, MI 48	3007		3753	
			DATE MAILED: 10/28/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	
	10/646,505	REYZIN ET AL.	VVY
Office Action Summary	Examiner	Art Unit	
	Allen J. Flanigan	3753	
The MAILING DATE of this communication apperiod for Reply	ppears on the cover sheet wi	th the correspondence add	ress
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION  - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a re  - If NO period for reply is specified above, the maximum statutory perior  - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	.136(a). In no event, however, may a re ply within the statutory minimum of thirt d will apply and will expire SIX (6) MON tte. cause the application to become AB	eply be timely filed  (30) days will be considered timely.  THS from the mailing date of this con ANDONED (35 U.S.C. & 133)	nmunication.
Status			
1) Responsive to communication(s) filed on 12.	August 2004.		
	is action is non-final.		
3) Since this application is in condition for allow		-	merits is
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D.	. 11, 453 O.G. 213.	:
Disposition of Claims			
4) Claim(s) 1-19 is/are pending in the application	n.		
4a) Of the above claim(s) is/are withdra	awn from consideration.		
5)⊠ Claim(s) <u>14-19</u> is/are allowed.			
6)⊠ Claim(s) <u>1 and 9</u> is/are rejected.			
7) Claim(s) <u>2-8 and 10-13</u> is/are objected to.			
8) Claim(s) are subject to restriction and/	or election requirement.		
Application Papers			
9) The specification is objected to by the Examin 10) The drawing(s) filed on is/are: a) acceptable and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examin	cepted or b) objected to be drawing(s) be held in abeyand ction is required if the drawing(s)	ce. See 37 CFR 1.85(a). s) is objected to. See 37 CFR	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureat * See the attached detailed Office action for a list	nts have been received. Its have been received in Appority documents have been rau (PCT Rule 17.2(a)).	oplication No received in this National St	tage
		•	
Attachment(s)	<b>(</b>		
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)		mmary (PTO-413) ′Mail Date	
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		ormal Patent Application (PTO-1	52)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al.

Please see the comments made in regard to the above rejection in the previous Office action.

Applicant's arguments filed 8/12/2004 have been fully considered but they are not persuasive.

Applicant presents arguments that are not commensurate with the scope of the claims. Nothing in the claims prohibits the presence of an additional metal screen wick layer on the claimed "condenser" and "base" plates, nor do the claims in any other way define over the structure shown in Yamamoto et al. Fig. 31 embodiment. First wicks 201 are clearly angled down towards the base plate, at an angle of 90 degrees. No particular limitation is placed on this angle by claims 1 and 9.

Claims 2-8 and 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14-19 are allowed.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3753

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen J. Flanigan whose telephone number is (703) 308-1015. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Scherbel can be reached on (703) 308-1272. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3753

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Allen J. Flanigan

Primary Examiner

Art Unit 3753

**AJF**